

REMARKS

Claims 1-20 are pending in this application.

Claim Rejection – Nonstatutory Double Patenting

Claims 1-20 have been rejected under the judicially created doctrine of double patenting over claims 1-16 of U.S. Patent No. 6,683,700. According to M.P.E.P. 804, a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual rejection based on nonstatutory double patenting.

Applicants submit that U.S. Patent No. 6,683,700 and the present application are commonly owned.

Accordingly, Applicants provide herewith a Terminal Disclaimer. Applicants respectfully request that the rejection be withdrawn.

CONCLUSION

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$120.00 is attached hereto.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert W. Downs (Reg. No. 48,222) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

Michael K. Mutter, #29,680

RWD
MKM/RWD/lab
2091-0301P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s): Terminal Disclaimer